

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1459 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

HEIRS OF DECD. DILIPCHAND M SANT - ROHINI D SANT & 1

Versus

MEENA VINAYAK KHADE

Appearance:

MR AS VAKIL for Petitioners

MR AY KOGJE for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 22/10/97

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. A.Y.Kogje,
learned advocate for the respondent.

2. The petitioners herein have been facing
concurrent findings of facts with regard to acquisition
of suitable residence. However, after some amount of
submissions, Mr. A.S. Vakil, learned advocate for the

petitioners submits before the Court under instructions from his clients, who are present in the Court, that they might be given some reasonable time to vacate the suit premises, since they are at present facing a great deal of financial hardship on account of change in circumstances. Having heard the learned advocates on the question of granting time to vacate the premises, I pass the following order :-

3. The judgment and decree passed in Rent Suit No. 445 of 1985 and confirmed in Regular Civil Appeal No. 18 of 1995 by the learned Joint District Judge, Vadodara is hereby confirmed subject to modification that the petitioners are granted time to vacate the suit premises upto 30/4/2000 on condition that the petitioners shall file usual undertaking before this Court on or before 7/11/1997 inter-alia stating therein that they will not transfer, assign or part with possession of the suit premises in any manner to any-body and that they will hand-over peaceful and vacant possession of the suit premises to the respondent on or before the date stated above, namely 30/4/2000.

Rule made absolute in the aforesaid terms only.
No order as to cost.

* * *